

DOCKET NO: 17462

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chang et al.

Examiner: Fay, Z.

Serial No.: 10/017,817

Group Art Unit: 1614

Filed: December 14, 2001

For: OPHTHALMIC COMPOSITIONS
FOR LUBRICATING EYES AND
METHODS FORMAKING AND
USING SAME

FAX RECEIVED

SEP 29 2003

PETITIONS OFFICE

SUPPLEMENTAL PETITION TO REVIVE PURSUANT TO 37 CFR §1.137(f)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions to revive the above-indicated patent application, which was unintentionally abandoned pursuant to 35 USC 122(b)(2)(B)(iii). Applicant's outside patent counsel prepared, filed, and is prosecuting this United States patent application, which was filed along with a request for non-publication, as instructed by the Applicants. Without informing Applicants' outside patent counsel, and without recalling that the request for non-publication had been filed, the undersigned (Applicant's inside patent counsel), subsequently filed an International Patent Application on December 12, 2002 claiming priority to this US application. The International Patent Application PCT/03/051332 published on June 26, 2003. Immediately following Applicants' realization that the request for non-publication was not rescinded, the undersigned filed a Petition to Revive Pursuant to 37 CFR 1.136(b) on August 22, 2003. Subsequently, on September 29, 2003, the

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to Attorney Paul Shanowski at United States Patent and Trademark Office fax telephone number 703-308-6916, with a cover sheet addressed to: Paul Shanowski, Esq., Mail Stop Petition, Patent and Trademark Office, on:

Date of Deposit: _____ Person making Deposit: _____

Signature: _____ Date of Signature: _____

Serial No. 10/017,817

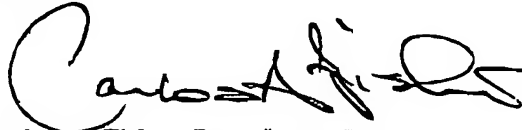
undersigned received a voice mail from Attorney Paul Shanoski of the US Patent and Trademark Office requesting disclosure of the filing date of the International Application. As stated above, the PCT Application was filed December 12, 2003.

The entire delay in filing this petition, from the date of filing the International Patent Application until the date of filing this petition, was entirely unintentional.

The originally filed Petition to Revoke was accompanied by a Request to Rescind the Request for Non-Publication pursuant to 35 USC §122(b)(2)(B)(iii).

Applicants authorize the use of Deposit Account No. 01-0885 for the payment of the petition fee under 37 CFR 1.17(m), and for the payment of any other fee that may be due in connection with this correspondence.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carlos A. Fisher', with a stylized flourish at the end.

Carlos A. Fisher, Reg No. 36,510

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